

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
APRIL 5, 2021

PRESENT: TERRY HARMON, CHAIRMAN, MARSHALL ROTH, JEFF TRACY, ROBERT BRAGG, DON GILL, ROBERT BRAGG, STACY STOLL, JASON DOOL, CHIEF BUILDING INSPECTOR, PAT MCGRATH, DEPUTY CORPORATION COUNSEL.

The meeting of the Lockport Planning Board was called to order at 5:00 P.M. at the Lockport Municipal Building, One Locks Plaza, Lockport, New York.

1. Marvin's at Widewaters. 767 Market Street. Request for a Special Use Permit for outdoor events situated in an R-2 Zone.

Ms. Kayleen Sylvis was present at the meeting.

Ms. Sylvis stated that she included a calendar and write up of the events that they would like to do this summer.

Ms. McGrath asked if it changed from last year.

Ms. Sylvis said not really, they will have music Thursday, family events on Saturday and the car shows with music on Sunday.

Megan Brewer explained to the Board that they have the option to leave the SUP open and not restrict it to just this year.

Commissioner Harmon said that if they change their request they will have to come back.

Ms. Sylvis said that the only thing they changed from last year is that they would like to have a farmer's market on Sunday.

Commissioner Harmon said that is fine.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Tracy made a motion to recommend the Special Use Permit to the Council with the following conditions:

1. The social events shall be held only on Thursday, Saturday or Sunday during normal business hours,
2. The social events shall not extend past 8 p.m.,
3. Any alcohol sales must be provided by an outside vendor.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Roth-yes
Commissioner Tracy-yes
Commissioner Bragg-yes
Commissioner Stoll-yes

RECOMMENDED TO COUNCIL

2. Calderone Agency of WNY, Inc. 90 Market Street. Request for site plan approval for exterior façade upgrades situated in a B-2 Zone.

Ms. Heather Calderone, 4466 Plank Road, Lockport, New York was present at the meeting.

Ms. Calderone stated that she just purchased the building and would like to add windows to the building.

Commissioner Stoll asked if the shingles are going to stay the same.

Ms. Calderone said yes, they are just adding windows.

Commissioner Roth asked if she is going to do upgrades to the lot.

Ms. Calderone said that she is going to paint the building the same color as it is now and clean up the asphalt.

Commissioner Harmon asked if she is going to do anything with the landscaping.

Ms. Calderone said that she is going to clean it all up.

Commissioner Harmon asked if there is going to be any site lighting.

Ms. Calderone said yes, there will be recessing lights around the exterior.

Commissioner Tracy said that the drawings show downward facing soffit lighting.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to approve the request for site plan approval for exterior façade upgrades. Seconded by Commissioner Stoll.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Roth-yes
Commissioner Tracy-yes
Commissioner Bragg-yes
Commissioner Stoll-yes

APPROVED

3. Penalty Box. 1 Grigg Lewis Way. Request to utilize a portion of grassed area on the southwest corner of the lot for outdoor games situated in a B-2 Zone.

Mr. Jon George was present.

Mr. George stated that he would like to install a temporary fence along the parking lot and install two bocce courts next to the flag poles.

Commissioner Harmon asked what type of fencing he plans on using.

Mr. George said that it will be black or green removable fencing similar to snow fencing.

Commissioner Harmon asked how they plan on mounting the fence.

Commissioner Tracy said that it will be like scrim that they use for races.

Mr. George said that the color of the fence will match the arena but will be a snow fence material.

Commissioner Harmon asked if there is going to be any additional lighting.

Mr. George said no, it is well lit now.

Commissioner Harmon asked what the hours of operation are going to be for the outdoor area.

Mr. George said that it will be open the same hours as the bar. Right now, they can stay open until 11 because of the pandemic. He said probably around 1.

Commissioner Harmon asked if they are going to have alcohol in the game area.

Mr. George said yes, they are waiting for SLA approval.

Commissioner Harmon asked if the SLA approved the type of fencing that he is using.

Mr. George said that they will allow him to use rope.

Commissioner Bragg said that he really doesn't like the look he is going for. He said that he doesn't like the snow fence. He said he would rather see the rope.

Mr. George said that he can't put a permanent fence in because of the plowing in the winter.

Mr. George showed the Board pictures of the type of fence he would like to use.

Commissioner Bragg said that he would prefer the rope.

Mr. George said that he is trying to keep people in.

Commissioner Harmon said that snow fencing won't hold up to the wind.

Mr. George said that they are going to stake it into the ground.

Commissioner Roth asked what kind of stakes they plan on using.

Mr. George said fence stakes.

Mr. George said that he would love to be able to match the fence that is already there but he can't because it has to be removable.

Commissioner Tracy said that he is part owner in a race company and they use temporary fencing all the time. He said that it is not see through and you can get it in any color. He said that it is called scrim and it is like a rolled fabric.

Mr. George asked if the scrim is tall.

Commissioner Tracy said that you can get it in any size.

Mr. George said that he is trying to find something black that is temporary.

Commissioner Bragg asked how long the fence will be up.

Mr. George said that his outdoor license is from April to the end of October. He said because of the weather it will probably be up from around mid-May to November 1st.

Commissioner Tracy showed the Board a picture of the scrim that he uses for races.

Mr. George said that he also wants something to stop the bocce balls going into the parking lot.

Commissioner Tracy said that the scrim is durable.

Mr. George said that he would get it in black.

Commissioner Harmon said that he likes the idea of black fencing.

Commissioner Bragg said a 3ft tall black fence would be ok.

Mr. George said that he wants the fence tall enough to keep people contained.

Mr. Dool said that a 4' fence would actually be lower than what is there because of the retaining wall.

Commissioner Harmon suggested that they make the fence a minimum 4' high.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Tracy made a motion to approve the request to utilize a portion of the grassed area on the southwest corner of the lot for outdoor games with the following conditions:

1. The fence be a black scrim material 4' in height.
2. The fence be installed from April 1st until November 1st.

Seconded by Commissioner Stoll.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Roth-yes
Commissioner Tracy-yes
Commissioner Bragg-yes
Commissioner Stoll-yes

APPROVED

Commissioner Roth made a motion to approve the minutes from the February 1, 2021 meeting. Seconded by Commissioner Stoll. Ayes-7 Noes-0

Commissioner Roth made a motion to adjourn the meeting. Seconded by Commissioner Stoll. Ayes- 7 Noes-0

THE NEXT REGULARLY SCHEDULED MEETING WILL BE MAY 2, 2021. IF YOU CANNOT ATTEND PLEASE CONTACT MEGAN AT 439-6754 OR mbrewer@lockportny.gov.